

## UNITED STATES DISTRICT COURT

for the

District of Oregon

United States of America )

v. )

Larry Wayne Grant III )

Case No. 3:20-mj-00111 )

**UNDER SEAL**\_\_\_\_\_  
*Defendant(s)***CRIMINAL COMPLAINT  
BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of February 2019 - present in the county of Marion in the  
\_\_\_\_\_  
District of Oregon, the defendant(s) violated:*Code Section*

18 U.S.C. § 2250(a)

*Offense Description*Failure to register, as required by the Sex Offender Registration and  
Notification Act.

This criminal complaint is based on these facts:

See attached Affidavit of Deputy United States Marshal Tabeth Aguilar.

☒ Continued on the attached sheet.Tabeth Aguilar*Complainant's signature*Tabeth Aguilar, Deputy, USMS*Printed name and title*Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by  
telephone at 10:38am a.m./p.m.Date: 05/13/2020  
*Judge's signature*City and state: Portland, OregonHonorable Jolie A. Russo*Printed name and title*

DISTRICT OF OREGON, ss: AFFIDAVIT OF TABETH AGUILAR

**Affidavit in Support of a Criminal Complaint and Arrest Warrant**

I, Tabeth Aguilar, being duly sworn, do hereby declare and state the following:

**Introduction and Agent Background**

1. I am a Deputy United States Marshal with the United States Marshals Service and have been with the United States Marshals Service since May 2010. I am currently involved in sex offender investigations in the District of Oregon. I am a graduate of both the Criminal Investigator Training Program and the United States Marshals Service Academy at the Federal Law Enforcement Training Center in Glynco, Georgia. Prior to becoming a Deputy United States Marshal, I was a Probation Officer in Franklin County, Ohio, from 2005 to 2010. I also have a master's degree in Criminal Justice from Xavier University. I have conducted numerous criminal, fugitive, and sex offender investigations.

2. I make this affidavit in support of the criminal complaint and the arrest warrant for Larry Wayne GRANT, III for a violation of Title 18, United States Code, Section 2250(a), Failure to Register as a Sex Offender. As set forth below, there is probable cause to believe, and I do believe, that GRANT is required to register as a sex offender under the Sex Offender Registration and Notification Act (SORNA), is a sex offender by reason of a military conviction, and knowingly failed to register, in violation of 18 U.S.C. § 2250(a).

3. This affidavit is submitted for the limited purpose of establishing probable cause for the criminal complaint and the arrest warrant and does not set forth all known facts related to this matter. The information in this affidavit was ascertained during a criminal investigation that included, in part, a review of pertinent documents and records, communications with law enforcement personnel, and communications with individuals related to this matter.

**Applicable Law**

4. Title 18, United States Code, Section 2250(a) provides:

(a) In General.—Whoever—

(1) is required to register under the Sex Offender Registration and Notification Act;

(2)

(A) is a sex offender as defined for the purposes of the Sex Offender Registration and Notification Act by reason of a conviction under Federal law (including the Uniform Code of Military Justice), the law of the District of Columbia, Indian tribal law, or the law of any territory or possession of the United States; or

(B) travels in interstate or foreign commerce, or enters or leaves, or resides in, Indian country; and

(3) knowingly fails to register or update a registration as required by the Sex Offender Registration and Notification Act;

shall be fined under this title or imprisoned not more than 10 years, or both.

**Summary of Probable Cause**

5. Larry Wayne GRANT, III is a convicted sex offender with a history of failing to register as a sex offender. On March 28, 2009, GRANT was convicted of Indecent Assault by the United States Department of the Army in Fort Stewart, Georgia. GRANT has three prior Oregon state convictions for Failure to Register as a Sex Offender. In May 2017, GRANT last registered in Salem, OR. Records indicate GRANT has been living in Turner, OR since at least February 2019, and has failed to register. In violation of SORNA, GRANT changed his residence and failed to register or update a registration as required.

**Statement of Probable Cause**

6. On March 28, 2009, the United States Department of the Army found GRANT guilty of Indecent Assault, in violation of Article 134, and Making False Statements, in violation

of Article 107 of the Uniform Code of Military Justice in Fort Stewart, Georgia. GRANT and another male indecently assaulted the victim while she was incapacitated by alcohol. GRANT initially denied having any sexual contact with the victim, but the victim was given a sexual assault kit and GRANT's DNA was found on the victim's vaginal swabs. As part of the plea, GRANT admitted to committing the Indecent Assault by "rubbing his penis on her inner thigh and near her vagina." GRANT was sentenced to six months confinement and received a Bad-Conduct Discharge from the Army. Due to this conviction, GRANT is required to register as a sex offender pursuant to the Sex Offender Registration and Notification Act.

7. On August 6, 2009, GRANT signed a Notice of Release/Acknowledgement of Convicted Sex Offender Registration Requirements while incarcerated at the brig within Marine Corps Base Camp Lejeune, North Carolina.

8. On January 6, 2014, GRANT was convicted of Failure to Register as a Sex Offender in Marion County, Oregon, docket #13C46411.

9. On January 7, 2016, GRANT was convicted of Failure to Register as a Sex Offender in Marion County, Oregon, docket #15CR41200.

10. On May 18, 2017, GRANT registered as a sex offender in Oregon. GRANT provided an address of 555 63<sup>rd</sup> Ave NE, Salem, OR 97317. GRANT signed an Oregon Sex Offender Reporting Requirements form which outlined his sex offender requirements. Records show this was the last sex offender registration for GRANT in Oregon.

11. On May 30, 2017, GRANT was convicted of Failure to Register as a Sex Offender in Marion County, Oregon, docket #16CR69117.

12. On February 13, 2019, GRANT was stopped by Oregon State Police (OSP) Trooper Gerig, in Salem, OR. During the stop, Gerig learned GRANT was a sex offender who

last had contact in 2017. Gerig read GRANT his *Miranda* rights. GRANT responded “yes” when asked if he understood his rights. GRANT stated he should be current on his registration and his registered address is 3rd Street in Turner, OR. GRANT was charged with Failure to Register.

13. On or about October 4, 2019, OSP Sex Offender Registry mailed an invoice to last registered address for GRANT in Salem, OR. The invoice was returned to OSP with a U.S. Postal Service label that had a forwarding address of 7410 3rd Street SE, Turner, OR 97392, and the name “Grant Jr Larry.”

14. On January 25, 2020, GRANT signed a release agreement from the Marion County Courts for Failure to Register, docket #18CR72860 and two Possession of Meth cases. GRANT listed his address on the release agreement as 7410 3rd Street SE, Turner, OR 97392. On February 7, 2020, GRANT failed to appear in court for these charges and a warrant was issued for his arrest.

15. On April 29, 2020, a query of the National Crime Information Center for sex offender registrations showed the only registration for GRANT to be in Oregon.

16. On April 29, 2020, a query of the National Sex Offender Registry listed no records for GRANT.

17. Under SORNA, GRANT has a current requirement to register as a sex offender. Under Oregon state law, GRANT has a lifetime requirement to register as a sex offender in Oregon.

### **Conclusion**

18. Based on the above information, I believe GRANT is required to register as a sex offender under SORNA, is a sex offender by reason of a military conviction, has changed his

residence, and knowingly failed to register as a sex offender. Additionally, I believe GRANT has not registered as a sex offender since May 2017. As such, I believe there is probable cause that GRANT knowingly failed to register as a sex offender as required under 18 U.S.C. § 2250(a), and I respectfully request this Court issue the requested criminal complaint and arrest warrant.

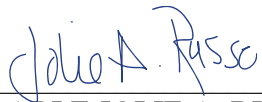
19. This affidavit was reviewed by Assistant United States Attorney (AUSA) Thomas S. Ratcliffe prior to being presented to the Court. AUSA Ratcliffe informed me, that in his opinion, the affidavit sets forth sufficient facts to establish probable cause for the criminal complaint and arrest warrant.

Tabeth Aguilar

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TABETH AGUILAR  
Deputy U.S. Marshal  
United States Marshals Service

Sworn in accordance with the requirements of Fed. R. Crim P. 4.1 by telephone at 10:38am a.m./p.m. on May 13, 2020.



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HONORABLE JOLIE A. RUSSO  
United States Magistrate Judge